



Brexit Checklist

Employing EU Nationals

1st January 2021

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End of Brexit Transition Checklist: Employing EU Nationals

Introduction:

The UK's transition period with the EU ended on the 31st December 2020. Since the first of January, the way that UK businesses trade with their counterparts in the EU (and some of the nations that the EU has existing trade deals with), employ EU citizens and comply with aspects of certain regulations such as GDPR, has changed. This checklist provides essential information and links to further guidance and support on **Employing EU Nationals**. Further checklists on a range of topics can be found at <https://www.blackcountrychamber.co.uk/brexit>.

Key steps that all businesses employing EU nationals should take:

- Support your current EU employees with their EU Settlement Scheme applications ahead of the 30 June 2021 deadline.
- Familiarise yourself with the different types of immigration routes (and their requirements) including:
 - Skilled Worker Route
 - Intra – company Transfer Route
 - Graduate Route
 - Global Talent Route
 - Youth Mobility Scheme
 - Visitor (temporary business)
- Check the Standard Occupational Classification (SOC) code for the types of roles you are looking to recruit for and the appropriate salary rate threshold
- Consider the impact of the end of the Brexit transition period on the increased costs and complexity of hiring workers from outside the UK and take appropriate actions to ease them (where possible).
 - Factor in how much your organisation would need to pay and how much a prospective employee would need to pay to enable them to come into the UK to work
 - Review the timing allocated for your on boarding processes to account for additional visa requirements such as English language tests
 - Check the shortage occupation list on an ongoing basis to see if the roles you are looking to recruit for are listed
- Apply for a sponsor license from the Home Office if you are not licensed already
 - Appoint people within your businesses to manage the sponsorship license (e.g. authorising officer)
- Prepare for changes to right to work checks and documentation from 1 July 2021 and ensure that your employees have received the necessary training to comply with the new rules
- Seek support: many organisations are working through exactly the same challenges and questions you are, you may benefit from advice from:
 - Professional and legal advisors
 - CIPD
 - Your industry body

Please see the final section of this document for more information on sources of support in the Black Country area.

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Below you will find an overview of the key areas that employers should be aware of and further suggestions on steps to take. Please note: it aims to cover key areas for businesses but is not exhaustive.

Area	What is changing	Steps to take
EU Settlement Scheme	<p>EU, EEA or Swiss citizens living and working in the UK (before the 1 January 2021) need to apply for the EU Settlement Scheme if they wish to continue living in the UK after the 30 June 2021. The deadline for applications is 30 June 2021.</p> <p>EU citizens will be able to continue using their passport or national identity card to prove they can work in the UK until 30 June 2021.</p>	<p>Read this gov.uk guidance here</p> <p>Use the government toolkit for employers to raise awareness of the scheme amongst your (EU Citizen) employees</p> <p>Ensure that your (EU Citizen) employees have applied for settled or pre-settled status</p>
UK Immigration System	<p>From 1 January 2021, freedom of movement between the UK and the EU will end and the UK will introduce a new points based immigration system containing new job, salary and language requirements.</p> <p>EU citizens will no longer have the automatic right to work in the UK and UK firms will need to have obtained a sponsor license to employ (most) workers from outside the UK including EU, EEA and Switzerland citizens. The application process usually takes 8 weeks.</p> <p>The UK government has removed the Resident Labour Market Test which means employers will no longer be required to advertise vacant roles to UK workers.</p> <p>UK employers will also need to pay the Immigration Skills Charge when employing EU workers through the new Skilled Worker and Intra-company Transfer Routes</p>	<p>Read this gov.uk guidance here</p> <p>Apply for a sponsor license from the Home Office</p>

Further Support for your Business:

There are a number of sources of support and funding to help businesses prepare for changes to employing EU nationals:

The Black Country Chamber of Commerce

The BCCC has teamed up with the West Midlands Combined Authority and our fellow Chambers in the region to offer free support to local businesses through:

- Free webinars on a wide range of Brexit related topics (click [here](#))
- Briefing documents, further checklists and videos on a wide range of Brexit related topics (click [here](#))

Other BCCC support includes:

- Assistance from our Export Documentation team and dedicated International Trade Advisers
- Advocacy support, escalating unanswered questions and lobbying for members' interests (contact policy@blackcountrychamber.co.uk)

Sponsorship, Employer and Education Helpline

UK Visas and Immigration run a helpline for sponsors and employers. Find out more [here](#).

EU Settlement Scheme: Employer Toolkit

The Home Office has designed a toolkit containing further information and communication materials on the EU Settlement Scheme to make it easier for employers to support their EU staff with their applications to remain in the UK. Find out more [here](#).

Chartered Institute of Personnel and Development (CIPD)

The CIPD has a dedicated Brexit hub containing further resources and guidance for employers regarding the new UK immigration system. Find out more [here](#).

Local Enterprise Partnership Growth Hubs

Growth Hubs offer funded businesses advice and support and programmes. The Black Country LEP Growth Hub will be able to address any concerns about how the UK transition will affect your business.